

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KENJI OSE

Appeal 2007-0722
Application 09/992,597
Technology Center 2100

Decided: March 8, 2007

PURSUANT ORDER UNDER 37 C.F.R. § 41.50(d)

This communication to the Appellant addresses the Remand and Order by the Board of Patent Appeals & Interferences (BPAI) mailed February 28, 2007. It has come to our attention that the Board did not set a time period for Appellant to respond and comply with the requirements of the Order.

TIME PERIOD FOR RESPONSE

37 C.F.R. § 41.50(d) states:

The Board may order appellant to additionally brief any matter that the Board considers to be of assistance in reaching a

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decision on the pending appeal. Appellant will be given a non-extendable time period within which to respond to such an order. Failure to timely comply with the order may result in the *sua sponte* dismissal of the appeal.

Accordingly, a period of one month from the mailing date of this communication is set for Appellant's response. This time is non-extendable.

By Order of the

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

Dale M. Shaw
Chief Appeals Administrator
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cam

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